

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 3548 of 2000

to

FIRST APPEAL No 3561 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

and

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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O N G C

Versus

SPECIAL LAND ACQUISITION OFFICER  
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Appearance:

MR AJAY R MEHTA for Appellant

MR ND GOHIL, AGP for Respondent No. 1

MR AJ PATEL for Respondent No. 2  
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CORAM : MR.JUSTICE Y.B.BHATT

and

MR.JUSTICE M.C.PATEL

Date of decision: 21/12/2000

COMMON ORAL JUDGEMENT

(Per : MR.JUSTICE Y.B.BHATT)

1. Heard the learned counsel for the parties.  
Appeals admitted. Mr. A.J. Patel waives service of notice in Appeal for the respondent - original claimants.
2. These are Appeals under Section 54 of the Land Acquisition Act read with Section 96 of the Civil Procedure Code at the instance of the Oil and Natural Gas Corporation Limited i.e. to say, the acquiring body. It may be noted that the Appeals had been filed after leave of the court.
3. At the joint request of the learned counsel for the respective parties, these Appeals are taken up for hearing today.
4. As a result of the hearing and discussion, learned counsel for the respective parties agree that the decision of this very Bench rendered earlier today in First Appeals No.3562 of 2000 to 3575 of 2000 would completely cover the facts of the present group of Appeals and that there are no distinguishing features to make any difference.
5. In the premises aforesaid, we determine the market value of the acquired lands in this group of Appeals at Rs.13.50/- per sq. mtr. Consequently, these Appeals are partially allowed with no orders as to costs.  
  
5.1 It is understood that the respondent - original claimants would also be entitled to all statutory allowances under the Act on the basis of the aforesaid market value. Decree accordingly.
6. It is recorded by consent of the learned counsel that the appellant - acquiring body shall deposit the amount of compensation due and payable under the present judgment and decree within three months from today, and such deposit shall be made separately in each of the Land Reference Cases.

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